

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 29, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Carlie Boland (D)
Sen. Jen Gross (D)
Sen. Steve Hinebaugh (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Scott Sales (R)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Charlene Devine, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 482, 3/17/2017; HB 537, 3/17/2017
Executive Action: SB 375, Do Pass As Amended; HB 537, Be Concurred In; HB 482, Be Concurred In

00:00:48 Vice Chair Fielder assumed the role of the chair.

HEARING ON HB 537

Opening Statement by Sponsor:

00:01:09 Rep. Willis Curdy (D), HD 98, opened the hearing on HB 537, Generally revise state probate laws.

Proponents' Testimony:

00:09:04 Lon Dale, self

Opponents' Testimony:

00:02:27 Robert Terrazas, self
[EXHIBIT\(jus65a01\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:17:00 Sen. Swandal
00:18:17 Chair Fielder
00:19:03 Rep. Curdy
00:20:35 Chair Fielder
00:21:49 Mr. Terrazas, self

00:22:03 Sen. MacDonald entered the hearing.

00:26:39 Chair Fielder
00:26:42 Mr. Terrazas
00:28:12 Sen. Gross
00:29:01 Mr. Dale, self
00:33:09 Sen. Sands
00:34:58 Rep. Curdy
00:35:06 Sen. Swandal
00:36:34 Mr. Dale
00:38:37 Sen. Hinkle
00:39:05 Rep. Curdy
00:39:19 Sen. Hinkle
00:40:06 Mr. Dale

Closing by Sponsor:

00:40:45 Rep. Curdy

00:41:50 Sen. Regier assumed the role of the chair.

HEARING ON HB 482

Opening Statement by Sponsor:

00:42:25 Rep. Jennifer Eck (D), HD 79, opened the hearing on HB 482, Revise incest laws.

[EXHIBIT\(jus65a02\)](#)

Proponents' Testimony:

00:44:36 Ole Olson, Department of Justice

00:47:20 Hillary Crosby, Montana Coalition Against Domestic and Sexual Violence

[EXHIBIT\(jus65a03\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:50:28 Sen. Sands

00:51:53 Mr. Olson, DOJ

00:51:59 Sen. Fielder

00:57:14 Mr. Olson

00:57:29 Sen. Hinkle

00:58:50 Mr. Olson

00:59:18 Sen. Sands

01:00:44 Mr. Olson

01:01:15 Chair Regier

01:01:36 Rep. Eck

01:02:20 Robin Turner, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

01:02:58 Chair Regier

01:03:08 Ms. Turner, MCADSV

01:03:34 Chair Regier

01:03:41 Mr. Olson

Closing by Sponsor:

01:04:20 Rep. Eck

01:05:39 Chair Regier

01:05:45 President Sales entered the hearing.

01:06:08 Recess

01:19:46 Reconvene

01:19:54 Chair Regier

EXECUTIVE ACTION ON SB 375

01:20:14 **Motion:** Sen. S. Sales moved that **SB 375 DO PASS.**

Discussion:

01:20:22 Julianne Burkhardt, Legislative Services Division (LSD)

01:21:49 **Motion:** Sen. Fielder moved that **SB 375 BE AMENDED.**

[**EXHIBIT\(jus65a04\)**](#)

Discussion:

01:21:58 Sen. Fielder

01:23:47 Ms. Burkhardt, LSD

01:25:53 **Vote:** Motion carried unanimously by voice vote. Sen. Hinkle voted by proxy.

01:26:28 **Motion:** Sen. MacDonald moved that **SB 375 BE AMENDED.**

[**EXHIBIT\(jus65a05\)**](#)

Discussion:

01:27:14 Sen Swandal

01:27:47 Sen. MacDonald

01:28:20 Sen. Fielder

01:30:08 Ms. Burkhardt

01:30:33 Sen. Fielder

01:30:44 Sen. MacDonald

01:31:14 **Vote:** Motion carried unanimously by voice vote. Sen. Hinkle voted by proxy.

01:31:28 **Motion:** Sen. Fielder moved that **SB 375 DO PASS AS AMENDED.**

Discussion:

01:31:49 Chair Regier

01:32:44 Sen. Gross

01:33:39 Sen. Sands

01:34:54 Sen. Swandal

01:36:08 Sen. Fielder

01:37:12 Sen. Hinebauch

01:37:20 Sen. Hinkle entered the hearing.

01:38:09 Sen. MacDonald

01:40:23 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald and Sen. K. Regier voting no.

01:41:22 Chair Regier

EXECUTIVE ACTION ON HB 537

01:42:03 Sen. Sands

01:42:27 **Motion:** Sen. Fielder moved that **HB 537 BE CONCURRED IN.**

Discussion:

01:42:37 Chair Regier

01:42:45 Sen. Swandal

01:44:32 Sen. MacDonald

01:46:01 Sen. Sands

01:46:16 Sen. Gross

01:47:07 Sen. Vincent

01:48:57 **Vote:** Motion carried 10-1 by roll call vote with Sen. MacDonald voting no. Sen. Swandal will carry the bill.

EXECUTIVE ACTION ON HB 482

01:49:29 **Motion:** Sen. Fielder moved that **HB 482 BE CONCURRED IN.**

Discussion:

01:49:43 Sen. Sands

01:50:01 Sen. Fielder

01:50:53 Sen. Swandal

01:51:08 Sen. Fielder

01:51:18 **Vote:** Motion carried unanimously by voice vote. Sen. Sands will carry the bill.

Discussion:

01:52:02 Sen. Sands

01:52:39 Chair Regier

01:52:49 Sen. Fielder

01:53:12 Sen. Sands

01:53:43 Chair Regier

ADJOURNMENT

Adjournment: 11:00 AM

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([jus65aad.pdf](#))